

LAW OFFICES OF RONALD A. MARRON, APLC

Ronald A. Marron, Esq. (CA 175650)
3636 4th Avenue, Suite 202
San Diego, California 92103
Telephone: (619) 696-9006
Facsimile: (619) 564-6665
ron.marron@gmail.com

LAW OFFICE OF DAVID L. ROMERO

David L. Romero, Esq. (CA 231210)
925 Sandcastle Drive
Cardiff, California 92007
Telephone: (619) 995-0356
Facsimile: (760) 942-9126
davidr@ippatentresource.com

Attorneys for Intervening Plaintiff,
Diana Stanley

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ROBERT WORTHINGTON,
On Behalf of Himself and all Others
Similarly Situated,

Plaintiff,

DIANA STANLEY,
On Behalf of Herself, All Others Similarly
Situated and the General Public,

Intervening Plaintiff,

v.

BAYER HEALTHCARE, LLC

Defendant.

CASE NO. 2:11-cv-02793-ES

Judge: Hon. Esther Salas

**NOTICE OF MOTION TO
INTERVENE TO FILE A MOTION
TO DISMISS, TRANSFER OR STAY**

Motion Day: August 15, 2011

Document Filed Electronically

TO:

Julie Diane Miller (CB 9044)

Jeffrey A. Leon

Jamie E. Weiss

FREED & WEISS

111 W. Washington Street

Suite 1331

Chicago, Illinois 60602

Telephone: 312-220-0000

Email: juliem@freedweiss.com
(for Plaintiff Robert Worthington)

James E. Cecchi

Lindsey H. Taylor

**CARELLA BYRNE CECCHI
OLSTEIN BRODY & AGNELLO, PC.**

5 Becker Farm Road

Roseland, New Jersey 07068

Telephone: 973-994-1700

Facsimile: 973-994-1744

Email: jcecchi@carellabyrne.com
(for Plaintiff Robert Worthington)

Adam J. Levitt

John E. Tangren

**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLC**

55 West Monroe Street, Suite 1111

Chicago, Illinois 60603

Telephone: 312-984-0000

(for Plaintiff Robert Worthington)

Jim S. Calton, Jr.

CALTON LEGAL SERVICES, SP

322 South Eufaula Avenue

Eufaula, Alabama 36072-0895

(for Plaintiff Robert Worthington)

Alycia A. Degen

SIDLEY AUSTIN LLP

555 West Fifth Street

Suite 4000

Los Angeles, CA 90013-1010

Telephone: 213-896-6682

Facsimile: 213-896-6600

Email: adegen@sidley.com

(For Defendant Bayer Healthcare, LLC)

Elizabeth Marie Chiarello

Eugene A. Schoon

Kara L McCall

SIDLEY AUSTIN LLP

One South Dearborn

Chicago, Illinois 60603

Telephone: 312-853-0640

Facsimile: 312-853-7036

Email: echiarello@sidley.com

(For Defendant Bayer Healthcare, LLC)

PLEASE TAKE NOTICE that on August 15, 2011, at _____ or as soon thereafter as counsel may be heard, the undersigned, attorneys for Plaintiff-Intervenor Diana Stanley (“Stanley” or “Intervening Plaintiff”), on behalf of herself, all others similarly situated, and the general public, shall move before the Honorable Esther Salas, United States Magistrate Judge for the United States District Court for the District of New Jersey, Martin Luther King, Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101, pursuant to Federal Rules of Civil Procedure 24(a) and/or (b) for entry of an Order granting Intervening Plaintiff’s motion to intervene (the “Motion”) in the above-captioned action as a party plaintiff and to seek leave to file a motion to dismiss, transfer or stay.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Intervening Plaintiff will rely upon this Notice of Motion and Motion, the concurrently-filed Memorandum of Points and Authorities in Support of Motion to Intervene, the concurrently-filed Declaration of Ronald A. Marron, all prior proceedings had, the papers on file in these matters, and any oral argument presented by counsel, as well as upon all other matters upon which this Court may take judicial notice, or as may be presented at the hearing on the motion.

A proposed form of Order is submitted herewith.

Oral argument is requested.

DATED: July 22, 2011

Respectfully submitted,

By: /s/Richard D. De Vita

Richard D. De Vita, Esq.

DE VITA & ASSOCIATES

1228 Garden Street

Hoboken, New Jersey 07030

Telephone: (201) 714-7623

Facsimile: (201) 714-7384

rddevita@verizon.net

Ronald A. Marron

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3636 4th Avenue, Suite 202

San Diego, CA 92103

Telephone: (619) 696-9006

Facsimile: (619) 564-6665

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David L. Romero

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925 Sandcastle Drive

Cardiff, CA 92007

Telephone: (619) 995-0356

Facsimile: (760) 942-9126

davidr@ippatentresource.com

Attorneys for Plaintiff-Intervenor Diana Stanley